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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**

20 DAVID A. STEBBINS,

21 Plaintiff,

22 v.

23 KARL POLANO et al.,

24 Defendants.

) CASE NO.: 4:21-cv-04184-JSW  
)  
) **STIPULATED REQUEST TO**  
) **CONTINUE INITIAL CASE**  
) **MANAGEMENT CONFERENCE**  
) **PURSUANT TO LOCAL RULE 6-2**

Pursuant to Civil Local Rule 6-2, Plaintiff David A. Stebbins (“Plaintiff”) and Defendants Alphabet Inc. (“Alphabet”), Discord, Inc. (“Discord”), Facebook, Inc. (“Facebook”), and Amazon.com, Inc. (“Amazon”)<sup>1</sup>, by and through their undersigned counsel, hereby request that the Initial Case Management Conference currently scheduled for November 19, 2021 at 11:00 a.m. (Dkt. 51) be continued until all remaining Defendants in this action have been served and have appeared. In support of this request the parties state as follows:

1. The parties request continuance of the initial CMC because defendants Karl Polano, Frederick Allison, and Raul Mateas (together, the “Individual Defendants”) – each of whom are alleged to be the primary infringers of the work at issue in this case – have not yet been served and have not yet appeared in this action. In addition, Plaintiff has filed a motion for leave to file a Third Amended Complaint which proposes to add a number of additional Defendants, who also have not been served. *See* Dkt. 71. Accordingly, the parties believe that an initial CMC would be most productive once all Defendants have been served and have appeared.

2. This matter was reassigned to the Honorable Jeffrey S. White on August 2, 2021. Dkt. 20. The Court thereafter set the Initial Case Management Conference for October 15, 2021 (Dkt. 22), and continued it *sua sponte* to November 19, 2021 (Dkt. 51). Plaintiff has consented to extensions of time for Defendants Discord (Dkts. 50, 52) and Alphabet (Dkt. 69) to respond to the complaint.

3. The requested continuance will have no effect on other deadlines currently set in this case.

The undersigned counsel for Alphabet attests pursuant to L.R. 5-1(i)(3) that all other signatories below have concurred in the filing of this document.

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<sup>1</sup> By stipulating to this Request, Amazon reserves all rights and defenses, including that jurisdiction is proper over it.

1 Dated: October 25, 2021

2 For Alphabet Inc., Defendant

For Facebook, Inc., Defendant

3 s/ Ryan S. Benyamin

s/ Joseph Edward Petersen

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9 David A. Stebbins, Plaintiff

For Amazon.com, Inc, Defendant

10 s/ David A Stebbins

s/ Sanjay Nangia

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14 For Discord, Inc., Defendant

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22  
23 PURSUANT TO STIPULATION, IT IS SO ORDERED

24 Dated: \_\_\_\_\_

\_\_\_\_\_  
25 Hon. Jeffrey S. White  
26 United States District Judge  
27  
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